



Attorney Docket No. L3858-02

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:** Chun, et al. **Examiner:** Not yet assigned  
**Serial No.:** 10/580,949 **Group Art Unit:** Not yet assigned  
**Filed:** May 30, 2006 **Confirmation No.:** Not yet assigned  
**Title:** GLUCONATE BROTH FOR CEMENT AND CONCRETE ADMIXTURE

**CERTIFICATE OF FIRST CLASS MAILING (37 CFR §1.8)**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 22, 2006.

  
Craig K. Leon, Esq.

November 22, 2006

Signature Date

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

Enclosed herewith are:

1. Information Disclosure Statement (1 pg.) x3;
2. Form PTO-1449 (2 pgs.);
3. Copies of Cited References (B1-B9, C1-C4);
4. Return Receipt Postcard.

Serial No. 11/523,842  
Docket No. WP23422US

This Information Disclosure Statement is being filed within the period set forth in 37 CFR §1.97(b) because it is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in 37 CFR §1.491 in an international application.

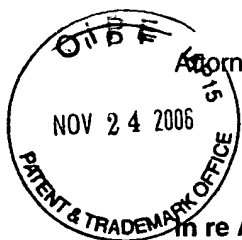
The Office has waived the requirement pursuant to 37 CFR §1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC §371 after June 30, 2003. Therefore, no copies of each cited U.S. patent and each cited U.S. patent application publication are enclosed, but the cited U.S. patents and the cited U.S. patent application publications are listed on PTO/SB/08A.

No additional fees are believed to be necessary, however, should any fees be deemed required, the Commissioner is authorized to charge such fees to Deposit Account 02-2958, but is not to include any payment of issue fees.

Respectfully submitted,  
ROCHE DIAGNOSTICS OPERATIONS, INC.

Date: 11/22/06

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**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§1.97 and 1.98, the patents and publications listed on the attached Form PTO-1449 are cited for consideration by the Examiner. Copies of the cited non-US patent publications are enclosed for the Examiner's review.

Check applicable box:

- ☒ No fees are believed due for this submission because:
- ☒ No office action has yet been received.
  - ☐ The application was filed less than 3 months ago.
  - ☐ The reference(s) were cited in a foreign search report not more than three months before the filing of this statement and were not previously known by Applicant(s).
- ☐ Please charge the \$\_\_\_\_\_ fee under 37 C.F.R. § 1.17(p) to Deposit Account 07-1756. This sheet is submitted in triplicate (if a fee is due).
- ☐ If any fees or additional fees are deemed necessary, the Commission is authorized to charge the above total filing fee, and any other fees necessitated hereby, and/or credit any overpayment to Deposit Account No. 07-1756.

Respectfully submitted,

Craig W. Leon  
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Patent/xgu/ids/L3858-02IDS

<b>FORM PTO-1449</b>  <b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>  (use several sheets if necessary)				<b>Atty. Docket No.</b> L3858-02	
				<b>Serial No.</b> 10/580,949	
				<b>Applicant</b> Chun, et al.	
				<b>Filing Date</b> May 30, 2006	
				<b>Confirmation No.</b> Not yet assigned	
				<b>Group Art Unit</b> Not yet assigned	
				<b>Examiner</b> Not yet assigned	

OFFICE  
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 PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	2,435,594	1/10/1948	MacPherson	106	809	10/20/1945
	A2	3,503,768	3/31/1970	Previte, et al.	106	730	3/22/1967
	A3	3,857,715	12/31/1974	Humphrey	106	729	3/1/1972
	A4	3,885,985	5/27/1975	Serafin, et al.	106	820	4/1/0974
	A5	4,073,658	2/14/1978	Ohtani, et al.	106	729	1/26/1977
	A6	4,286,991	9/1/1981	Galer, et al.	106	696	4/25/1980
	A7	4,786,331	11/22/1988	Ueda, et al.	524	8	7/13/1987
	A8	4,843,173	6/27/1989	Saito, et al.	562	531	5/16/1988
	A9	4,892,586	1/9/1990	Watanabe, et al.	106	725	6/3/1988
	A10	5,626,666	5/6/1997	Briat, et al.	106	728	4/29/1996
	A11	5,880,182	3/9/1999	Minomiya, et al.	524	5	2/18/1997
	A12	5,897,995	4/24/1999	Vroemen, et al.	435	137	12/14/1995
	A13	6,797,050	9/28/2004	Hoffman, et al.	106	696	7/22/2002
	A14	US20030010254A	1/16/2003	Mentink, et al.	106	170.41	2/10/1999
	A15	H493	7/5/1988	Tegiacchi et al.	106	93	2/1/1984

FOREIGN PATENT DOCUMENTS						
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	ENGLISH TRANSLATION	
					YES	NO
	B1	JP200327382	11/28/2000	Japan	Y (abstract only)	
	B2	JP09-40447	2/10/1997	Japan	Y (abstract only)	
	B3	JP06-92704	4/5/1994	Japan	Y (abstract only)	
	B4	JP54-128934	10/5/1979	Japan	Y (abstract only)	
	B5	JP09-255388	9/30/1997	Japan	Y (abstract only)	
	B6	JP58009863	1/20/1983	Japan	Y (abstract only)	
	B7	JP50-01120	1/8/1975	Japan	Y (abstract only)	
	B8	JP61-40854	2/27/1986	Japan	Y (abstract only)	
	B9	WO/92/18637	10/29/1992	PCT	Y	

<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	
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FORM PTO-1449		Atty. Docket No.	L3858-02
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		Examiner	Not yet assigned
OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)			
EXAMINER INITIAL			
	C1	International Search Report, PCT/US04/38915, Dated April 7, 2005, 1 page.	
	C2	Husted, "Gluconic Acid", <i>Ullmann's Encyclopedia of Industrial Chemistry</i> , (Wiley-VCH Verlag GmbH & Co. KGaA.), Online posting Date: June 15, 2000., 5 pages.	
	C3	Milsom, "Gluconic and Itaconic Acids", <i>Comprehensive Biotechnology</i> , Volume 3, 1985, pp.681-689	
	C4	PMP Fermentation Products, Inc., "PMP Liquid Gluconate", <a href="http://www.pmpinc.com/product/gluconates/liquid.html">http://www.pmpinc.com/product/gluconates/liquid.html</a> , printed October 29, 2003, 3 pages.	
EXAMINER		DATE CONSIDERED	
EXAMINER: Initial reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			